

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS, JOHN )  
MEINERS, and DANIEL UMPA, )  
individually and on behalf of all others )  
similarly situated, )

Plaintiffs, )

v. )

NATIONAL ASSOCIATION OF )  
REALTORS, ET AL., )

Defendants. )

Case No. 4:23-CV-00788

[Consolidated with 4:23-CV-00945]

Honorable Stephen R. Bough

**UNOPPOSED MOTION FOR ORDER EXTENDING TIME  
FOR DEFENDANTS TO ANSWER THE COMPLAINT**

Defendants Berkshire Hathaway Energy Company, Hanna Holdings, Inc., William Raveis Real Estate, Inc., Crye-Leike, Inc., Windermere Real Estate Services Company Inc., William L. Lyon & Associates, Inc., EXIT Realty Corp. USA, and EXIT Realty Corp. International (collectively, “Defendants”) respectfully request that this Court enter an Order extending the time for Defendants to answer Plaintiffs’ Consolidated Amended Class Action Complaint (the “Complaint”) until January 27, 2025. In support of this Motion, Defendants state as follows:

1. Plaintiffs filed their Consolidated Amended Class Action Complaint on June 11, 2024 (ECF No. 232).

2. This Court entered a Scheduling Order on June 24, 2024 (ECF No. 258). The Scheduling Order required Defendants to file motions to dismiss or otherwise respond to the Complaint by July 15, 2024.

3. Defendants other than EXIT Realty Corp. USA and EXIT Realty Corp. International (collectively, “EXIT Realty”) filed motions to dismiss and motions to strike on July

15, 2024, and July 16, 2024 (ECF Nos. 298, 300, 302, 305, 306, 308, 311, 313, 315, 316, 319, 323, 324, 330, 332, 333, 336, 339, 341, 343, 353, 356).

4. On July 22, 2024, Plaintiffs filed an unopposed motion for an extension of time until September 13, 2024, to respond to Defendants' motions and for an extension of time until October 11, 2024, for Defendants to submit replies in support of their motions (ECF No. 365). This Court granted the motion for an extension of time (ECF No. 366).

5. EXIT Realty moved to join Defendants' motions on August 26, 2024 (ECF No. 402). This Court granted the motion (ECF No. 404).

6. This Court denied Defendants' motions to dismiss and motions to strike on December 16, 2024 (ECF Nos. 589-590).

7. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendants' answers currently are due December 30, 2024.

8. Defendants respectfully request that the answer deadline for all Defendants be extended to January 27, 2024, four weeks after the original deadline. The Complaint comprises 264 paragraphs, and Defendants must collect extensive information to adequately respond to each allegation. This Court previously agreed to a similar period for defendants to submit answers in *Sitzer v. Nat'l Ass'n of Realtors*. See Scheduling Order at 1, *Sitzer v. Nat'l Ass'n of Realtors*, No. 4:19-cv-332, ECF No. 144 (setting deadline four weeks after denial of motions to dismiss). Unlike the deadline in *Sitzer*, the current deadline to answer in this case falls in the week between Christmas and New Years (and during Hanukkah), which substantially complicates the information collection process.

9. Plaintiffs have been consulted and do not object to the requested extension.

10. No prior extensions of these deadlines have been requested by Defendants.

11. This Motion is not filed for the purpose of delay or harassment and will not cause prejudice as the Motion is consented to by all parties.

WHEREFORE, Defendants request that this Court enter an Order granting Defendants up to and including January 27, 2025, to file answers to Plaintiffs' Consolidated Amended Class Action Complaint.

Dated: December 19, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on December 19, 2024, this document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Taylor Concannon Hausmann